

From:
To: [Sherlock, Scott](#)
Cc: [Pisarick, Marissa](#)
Subject: RE: [EXT] -8(e)s with patent issues
Date: Thursday, April 1, 2021 12:16:00 PM
Attachments: [image001.png](#)

Hello Scott,

As discussed in March, [redacted] is providing the supplemental substantiations for the TSCA Section 8(e) notification for which the EPA identified patent substantiation concerns. We were able to verify the patent numbers for all of the identified notifications. [redacted] is supplying the substantiation via email communication as agreed upon during our discussion in March 2021. The supplemental substantiation is provided below.

TSCA 8(e) Notification	Patent #
8EHQ-20-22013	[redacted]
8EHQ-20-22148	[redacted]
8EHQ-20-22194	[redacted]
8EHQ-20-22198	[redacted]
8EHQ-20-22208	[redacted]
8EHQ-20-22215	[redacted]
8EHQ-20-22253	[redacted]
8EHQ-20-22268	[redacted]
8EHQ-20-22274	[redacted]
8EHQ-20-22186	[redacted]
8EHQ-20-22210	[redacted]
8EHQ-20-22240	[redacted]
8EHQ-20-22246	[redacted]
8EHQ-20-22204	Filed, not published; recently applied for patent.
8EHQ-20-22234	[redacted] - patent filed 02/2021, not published
8EHQ-20-22235	[redacted] - patent filed 04/2020

The corporation asserts and substantiates this CBI information with the understanding that the Agency will maintain this information as confidential. If the Agency denies in part or in total this CBI claim, then it is our understanding that the EPA will notify the corporation with respect to the reasons for denial in accordance with §14(g)(1)(B).

Q. Does any of the information claimed as confidential appear in one or more patents or patent applications? If yes, please provide the associated patent number or patent application number (or numbers) and explain why the information should be treated as confidential.

The substance has been patented. However, the substance is only listed generically and does not include the exact name of the substance nor is it identified by CAS RN; therefore, the chemical identity of the substance is still not given.

The substance is covered by patent(s). Please keep in mind it is possible one or more other patents cover, or at least relate to this substance. It is also very likely that specific versions of the substance or materials made using the substance will be held as trade secrets. Additionally, while a patent may described the favored compound and/or include the substance in one of the examples, it will generally be one of at least several compounds so described and the patent will not point to the favored compound or link the favored compound to a tradename.

Feel free to contact me with any additional questions

Best regards / Mit freundlichen Grüßen

Phone:

Mobile:

, Fax:

Email:

Postal Address:

From:
Sent: Wednesday, March 31, 2021 10:22 AM
To: Sherlock, Scott
Cc: Pizarick, Marissa
Subject: RE: [EXT] -8(e)s with patent issues

Hello Scott,

We are working on providing the updated substantiation for the identified TSCA 8(e) notifications. We are still attempting to identify 2 patent numbers that cover 3 of the submissions. I will send the substantiation along with the patent number for those submission we have identified tomorrow April 1 as agreed, I am hoping that I will have the additional 3 submission patents identified by tomorrow. If we are not able to identify the remaining 2 patents for the 3 submission before tomorrow, I will identify these and ask for an extension of an additional 10 days if that is possible.

Feel free to contact me with any additional questions

Best regards / Mit freundlichen Grüßen

Senior Product Regulations Specialist

Phone: + Mobile: , Fax: Email:
Postal Address: